

REMARKS

Claims 1-13 are pending in the application. Claims 1-13 are rejected. Claims 1 and 12 are rejected under 35 U.S.C. 112, second paragraph. Claim 13 is rejected under 35 U.S.C. 101 as directed to non-statutory subject matter. Claims 1-7 and 9-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Cool Edit User's Manual. Claim 8 is rejected under 35 U.S.C. 102(b) as being anticipated by Cool Edit 2000 webpage advertisement.

Applicant has amended claim 1 as per the Examiner's comments and respectfully submit that any indefiniteness is removed as a result of the amendment. The examiner had rejected claim 12 as indefinite under section 112. Applicant respectfully disagrees. Pursuant to MPEP section 2173.05(s), references to Figures or Tables are permitted. To be sure, that section specifies that the reference to a specific figure or table should be limited to exceptional circumstances where there is no practical way to define the invention in words and where it is more concise to incorporate by reference than duplicating a drawing or table into the claim. Applicant believes that the reference to Fig. 2 to describe the transfer function is such a circumstance and provides an effective method for describing the transfer function to one of skill in the relevant arts. Applicant respectfully requests that the rejections under section 112 be withdrawn. Claim 13 has been cancelled.

Claim 14 and 15 have been added. Support for claims 14 and 15 may be found throughout the specification, including paragraphs [0021] - [0025].

Claims 1-7 and 9-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Cool Edit User's Manual.

Applicant respectfully submits that the Cool Edit User's Manual neither teaches nor suggests all of the limitations of claim 1. According to the introduction (page 1) appearing in the reference cited by the Examiner, the Cool Edit program is a digital sound editor. It enables the user to "paint" with sound. Further, it makes available a wide variety of special effects to "touch up" sounds. It includes a transform menu for altering

existing waveform data (p. 7). As the Examiner points out, it provides a filtering option in the Filter section (pages 34-35), a compressing section (pages 27-28), and a Channel Mixer Section (page 27). But the Cool Edit Manual provides no instructions for the user that would guide him in navigating through these options to select the correct options, the correct sequence of options, and the correct attenuation values that would result in the performance of the method recited by the limitations of claim 1. More particularly, there is no teaching or suggestion that the left and right channel signals are filtered by both left and right high pass filters and by left and right band pass filters as in steps a and b or that a resulting left and right low frequency signals are modified in amplitude in accordance with the parameter ranges described in step c of the claim. Thus, for at least these reasons, Cool Edit fails to teach or suggest all elements of claim 1.

These distinctions are important because without the insight provided by the invention as recited in claim 1, a user would have no idea as to selecting the proper sequence of filter operations, channel mixing, and filter attenuation values to generate all elements of the method as recited in claim 1. He would have a computer sound editing that in particular performs no equivalent function to that performed by the method as recited in claim 1.

In view of the foregoing discussion, the rejections of claim 1 over the art of record are believed overcome. Claims 2-12 and 14-15 depend from claim 1 and are submitted to be allowable for at least their dependencies from an allowable claim. Moreover, the dependent claims recite additional limitations, and are therefore allowable for these reasons as well. Further discussion of these distinctions is believed unnecessary in light of the distinctions discussed above relative to the independent claims.

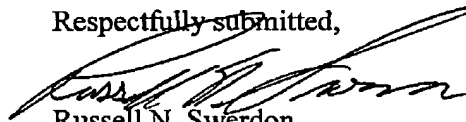
The arguments presented in the remarks section of this amendment are believed to provide an adequate response for asserting the allowability of all of the presently pending claims in this present application. To the extent that the applicant has not addressed some issues raised by the Examiner in the Office Action, applicant believes that such unaddressed issues do not require a response at the present time since allowability of the claims has been asserted by the applicant based upon other grounds. However,

applicant's lack of response to any of the issues raised by the Examiner does not constitute an admission by the applicant as to the accuracy of the Examiner's assertions with respect to such issues. Applicant specifically reserves the right to respond to such issues at a later time during the prosecution of the present application, should such a need arise.

Conclusion

Accordingly, it is submitted that all issues in the Office Action have been addressed, and withdrawal of the rejections is respectfully requested. Applicants believe that this application is in condition for allowance, and respectfully request a prompt passage to issuance. If the Examiner believes that a telephone conference would expedite the prosecution of this application, he is invited to contact the Applicants' undersigned attorney at the telephone number set out below.

Respectfully submitted,



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